



Fw: Apex - Sept 2009 Report
Eric Johnson to: Amy Swanson

1141026 - R8 SDMS

10/20/2009 08:32 AM

Amy,

No changes noted by Hecla; good news.

E

----- Forwarded by Eric Johnson/R8/USEPA/US on 10/20/2009 08:31 AM -----

From: Paul Glader <pglader@hecla-mining.com>
To: Eric Johnson/R8/USEPA/US@EPA
Date: 10/19/2009 11:13 AM
Subject: Apex - Sept 2009 Report



Apex Pond 2 - progress rpt 65, september 2009.doc



October 19, 2009

MEMORANDUM TO: Apex File

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FROM: Paul Glader

SUBJECT: **Progress Report No. 65 for period ending September 30, 2009; Pond 2 Final Closure - Apex Site, Washington County, Utah**

Summary

The monthly visual inspection, per the long term monitoring plan, was conducted on September 19. No unusual conditions were noted.

Geotechnical Monitoring

Based on the data showing that the facility has experienced consistently low settlement rates over the past three years, Hecla will continue to monitor the facility, however with survey data being collected on an annual basis.

The settlement monitors were surveyed on August 17, 2009. No appreciable movement was noted. The data will be analyzed.

Work Planned for Next Period

Visual inspection of site

Cost and Schedule

Committed costs in September 2009 were \$851. Total project to date committed cost is approximately \$1,475,000.

Supplemental Attachments

September 2009 site inspection report
August 17 monument monitoring survey
September 2009 cost report



Re: Fw: Conference Call with Fort Belknap Tribe re DOJ Referral 

Jonathan Binder to: Amy Swanson

10/27/2009 05:45 AM

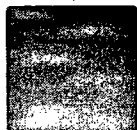
Cc: Caroline Makepeace

Hi Amy. Can you clarify the proposed plan for me. Is the idea to have the Acting head of the MT office contact President doney? My recollection from our prior discussion was that a phone call from John Wardell made sense given his multiple communication with the tribe on this and other compliance matters. Does that still hold true now that the potential caller from the MT office is different? If they do not have such a strong relationship, I wonder whether it is more appropriate for the acting RA or DRA to contact the tribe.

Please let me know your thoughts. Thanks much.

Jonathan

Fw: Conference Call with Fort Belknap Tribe re DOJ Referral



Fw: Conference Call with Fort Belknap Tribe re DOJ Referral

Caroline Makepeace to: Susan Okeefe, Bernadette Rappold

10/20/09 12:49 PM

Cc: Bruce Fergusson, Jonathan Binder

— Forwarded by Caroline Makepeace/DC/USEPA/US on 10/20/2009 12:41 PM —

From: Amy Swanson/R8/USEPA/US
To: David Rochlin/R8/USEPA/US@EPA, Darcy Oconnor/ENF/R8/USEPA/US@EPA, Michael Risner/R8/USEPA/US@EPA, Julie DalSoglio/MO/R8/USEPA/US@EPA, Eddie Sierra/R8/USEPA/US@EPA
Cc: Barbara Burkland/MO/R8/USEPA/US@EPA, Lisa Kahn/R8/USEPA/US@EPA, Caroline Makepeace/DC/USEPA/US@EPA
Date: 10/20/2009 12:37 PM
Subject: Conference Call with Fort Belknap Tribe re DOJ Referral

Region 8 agreed as a condition of OECA's concurrence in July 2009 to personally inform the Fort Belknap Tribe that we had referred the Tribe's drinking water violations to DOJ for civil action in advance of DOJ contacting the Tribe. As you know, the referral was sent to DOJ in August, and Barbara and I have since been working with the assigned DOJ attorney to develop the case. The first order of business was to request that DOJ management make an exception in this case to their policy that the complaint be approved prior to DOJ participating in negotiations. Last week DOJ management granted this exception, and thus it's now time to deliver our message to the Tribe before DOJ sends its standard pre-filing notification letter. Initially we had discussed having either John Wardell or Carol Rushin place a call to or meet with the Tribal President to inform the Tribe of the referral. In light of changed circumstances, I'm looking for input from Julie as well as the rest of you as to the preferred way to deliver the message. My personal thought is that a phone call would be sufficient, unless Julie is planning to visit with President doney anytime soon concerning other matters. Please let me know your thoughts and I'll proceed accordingly.

Amy Swanson, Senior Attorney

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